

ANDRÉ CARSON
7TH DISTRICT, INDIANA

COMMITTEE ON FINANCIAL SERVICES

SUBCOMMITTEE ON
CAPITAL MARKETS, INSURANCE AND
GOVERNMENT SPONSORED ENTERPRISES

SUBCOMMITTEE ON
INTERNATIONAL MONETARY POLICY
AND TRADE

Congress of the United States
House of Representatives
Washington, DC 20515-1407

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June 11, 2010

The Honorable Julius Genachowski, Chairman
Commissioner Michael J. Copps
Commissioner Robert M. McDowell
Commissioner Mignon Clyburn
Commissioner Meredith Attwell Baker
Federal Communication Commission
445 12th Street S.W.
Washington, DC 20554

Chairman Genachowski:

On behalf of my constituents in the 7th District, I am writing to express my concern regarding a proposed change the Video Relay Service (VRS), which could negatively impact the access of the deaf and the hard-of-hearing to telephone services. My constituents depend upon the VRS system to communicate using American Sign Language in order to make routine and emergency phone calls. In keeping with the requirements imposed by the Americans with Disabilities Act, my constituents believe the VRS system to be the "functional equivalent" of telecommunications services offered to those without hearing problems.

I am also concerned that the Commission intends to move away from the unanimously adopted long-term compensation method to a "cost plus" method that may not account for the true cost of providing VRS. This cost plus compensation method may also result in certain VRS providers being paid as much as 50% more than others providing the same service.

Prior to the implementation of any of these proposed changes, even on an interim basis, I request that you provide to Congress the reasons for this decision, which could adversely impact the deaf and the hard-of-hearing. I would very much appreciate the opportunity to work with you to better understand the most effective means of promoting efficiency and for improving access to VRS technology. I believe a rate structure that is fair and predictable encourages innovation. I thank you for your time.

Sincerely,



André Carson
Member of Congress

CAB
ADA
PV
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

August 5, 2010

The Honorable André Carson
U.S. House of Representatives
425 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Carson:

Thank you for your letter regarding the reimbursement rate for Video Relay Service (VRS). I share your support for VRS, which has become a critical communications tool for many who are deaf or hard of hearing.

On June 28, 2010, the Commission unanimously adopted two items to address immediate and long-term approaches for sustaining the vital Telecommunications Relay Services, of which VRS is one form. In an *Order*, the Commission sets interim VRS rates for the July 1, 2010 – June 30, 2011 period at \$6.2390 for Tier I, \$6.2335 for Tier II, and \$5.0668 for Tier III. These rates represent the average of the current tiered rates and NECA's proposed rates based on actual, historical costs. The *Order* notes that these rates also reflect a balance between the goal of ensuring that VRS providers recover from the VRS Fund only the reasonable costs caused by their provision of VRS and the goal of ensuring quality and sufficient service during a one-year period.

The other item adopted on June 28 is a *Notice of Inquiry* to take a fresh look at the VRS rules with an eye to ensuring that this vital program remains effective, efficient, and sustainable in the future. The *Notice* poses questions that delve into many cost and reimbursement related issues, seeking to make the program less susceptible to the waste, fraud, and abuse that have plagued the current program. Bringing clarity and predictability to VRS compensation is high on the Commission's list of priorities, and we will resolve this proceeding as expeditiously as possible. I am enclosing a copy of the Commission's News Release for your information.

I appreciate your continuing interest in this very important matter. Please let me know if I can be of any further assistance.

Sincerely,



Julius Genachowski